

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN NURSING**
239 Causeway Street, Room 417A
Boston, MA 02114

Minutes of the Regularly Scheduled Board Meeting
Wednesday, May 10, 2017

Board Members Present

K. Gehly, CNP, Chair
B. Levin RN, Vice Chair
J. Killion, LPN
A. Peckham, RN
C. Simonian, PharmD, RPh
L. Keough, CNP
G. Dufault, LPN
D. Zucker, RN
D. Drew, Public Member
P. Noonan, RN
L. Kelly, CNP

Board Members Not Present

C. LaBelle, RN
J. Fantes, MD

Staff Present

L. Silva, RN, DNP, Executive Director
C. MacDonald, RN, DNP, Deputy Executive Director
C. Silveira, MS, RN, Assistant Director
K. Ashe, RN, Nursing Education Coordinator
O. Atueyi, JD, Board Counsel
H. Cambra, RN, JD, Complaint Resolution Coordinator
D. M. DeVaux, RN, SARP Coordinator
M. Gilmore, RN, SARP Coordinator
A. Fein, RN, JD, Complaint Resolution Coordinator
K. Keenan, Licensing Coordinator
L. Talarico, CNP, Nursing Practice Coordinator
B. Oldmixon, Board Counsel
K. Fishman, Probation Monitor

Staff Not Present

TOPIC:

Call to Order & Determination of Quorum

DISCUSSION:

A quorum of the Board was present. C. MacDonald introduced M. Gilmore to the Board. Board members and staff introduced themselves.

ACTION:

At 9:02 a.m., K. Gehly, Chairperson, called the May 10, 2017 Regularly Scheduled Board Meeting to order.

TOPIC:

III 10 May 17 Regular Minutes
(to be Approved 06/14/2017)

Approval of Agenda

DISCUSSION:

L. Talarico stated that the Proposed Revisions to AR 1301 Cosmetic and Dermatologic Procedures was deferred. K. Gehly stated that the 2017-2018 Legislative Session, Nursing-related Bills item was deferred.

ACTION:

Motion by B. Levin, seconded by J. Killion, and unanimously passed to approve the agenda as revised.

TOPIC: Board Approved Actions on Staff Assignments and Complaints

- A. Massachusetts General Law, Chapter 112 § 61 and Specified Case Law Grounds
- B. Staff Assignment Closures and Complaint Openings

DISCUSSION:

A. Fein briefed the policies to the Board.

ACTION:

Motion by D. Drew, seconded by B. Levin, and unanimously passed to accept the Massachusetts General Law, Chapter 112 § 61 and Specified Case Law Grounds policy.

Motion by D. Drew, seconded by D. Zucker, and unanimously passed to accept the Staff Assignment Closures and Complaint Openings policy.

TOPIC:

Approval of Board Minutes for the April 12, 2017 Meeting of the Regularly Scheduled Board Meeting

DISCUSSION:

None.

ACTION:

Motion by L. Keough, seconded by J. Killion, and passed to accept the Minutes of the April 12, 2017, Regularly Scheduled Board Meeting. P. Noonan and A. Peckham abstained from the vote.

TOPIC:

Reports, Announcements and Administrative Matters

- A. Executive Director's Report
- B. Nominations FY 2018 Board Officers
- C. 2017-2018 Legislative Session, Nursing-related Bills
- D. Announcements

DISCUSSION:

- A. Executive Director's Report: L. Silva spoke to the Board about attendance and maintaining quorum.
- B. L. Silva presented the nomination form and asked Board members to return them for the vote next Board meeting.
- C. Deferred
- D. L. Keough acknowledged Nurse's week and thanked her fellow nurses.

ACTION:

So noted.

TOPIC: SARP

SARP Activity Report

DISCUSSION:

D. DeVaux was available for questions regarding her report.

ACTION:

So noted.

TOPIC: SARP

SAREC Appointment

DISCUSSION:

D. DeVaux presented the two appointments to the Board and asked the members to approve the appointments.

ACTION:

Motion by B. Levin, seconded by J. Killion, and unanimously passed to approve the appointments.

TOPIC: SARP

Proposed Policy Revisions: SARP Policy 13-01: SARP Eligibility Criteria for Nurses Undergoing Suboxone Opioid Substitution Therapy

DISCUSSION:

D. DeVaux briefed the changes to the SARP Eligibility Criteria for Nurses Undergoing Suboxone Opioid Substitution Therapy policy. The policy change replaced the brand name with the generic medicine name.

ACTION:

Motion by J. Killion, seconded by A. Peckham, and unanimously passed to accept the policy changes for SARP Policy 13-01: SARP Eligibility Criteria for Nurses Undergoing Suboxone Opioid Substitution Therapy.

TOPIC: Probation

Probation Staff Action Report

DISCUSSION:

K. Fishman presented her report and was available for questions.

ACTION:

So noted.

TOPIC: Probation

Hearing on Notice of Violation and Further Discipline in the matter of Margaret Reed Adekunle, RN263048, NUR-2012-0002

DISCUSSION:

B. Oldmixon asked that the item be deferred to later in the meeting to ensure the licensee was present. B. Oldmixon briefed the history of the case to the Board and presented the current case. The licensee spoke to the Board about her probation and attempts to find employment. B. Oldmixon briefed the Board on the difficulties the licensee had searching for employment. K. Gehly stated that the Board could take into account the one quarter that the licensee had successfully completed when evaluating her probation once a further three quarters of successful employment performance.

ACTION:

Motion by B. Levin, seconded by D. Drew, and passed to evaluate the three quarters and make a determination at that time. L. Keough voted against the motion.

TOPIC: Practice

Practice Coordinator Staff Report

DISCUSSION:

L. Talarico presented her report to the Board.

ACTION:

So noted.

TOPIC: Practice

Proposed Revision to AR 0901 Management of Pain

DISCUSSION:

L. Talarico presented the summary revision on AR 0901 Management of Pain to the Board.

ACTION:

Motion by C. Simonian, seconded by A. Peckham, and unanimously passed to accept the recommendations for revisions for AR 0901 Management of Pain.

TOPIC: Practice

Proposed Revision to AR 1301 Cosmetic and Dermatologic Procedures

DISCUSSION:

None.

ACTION:

Deferred.

TOPIC: Education

- A. Nursing Education Staff Report
- B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes
- C. 244CMR 6.06(2) Site Survey Waiver Request; University of Massachusetts Lowell Baccalaureate RN Program
- D. 244 CMR 6.06 Status Report of Board Recommendations to onsite survey and waiver applications;
 - 1. Tri- County Vocational Technical, Practical Nursing

Program

2. Becker College, Associate Degree RN Program

E. 244 CMR 6.11: Discontinuance of an Approved Nursing Education Programs

1. Salem State University Direct Entry Masters

2. Salter College Practical Nursing Program

DISCUSSION:

A. K. Ashe presented the Nursing Education Staff Report. K. Ashe briefed the Board on a faculty workshop that was held by the Nurse Education Coordinators and stated that another workshops are planned for September and October 2017 in the southeast and central regions. Faculty workshops focus on nursing program faculty role in maintaining program compliance of regulations at 244 CMR 6.04.

C. RECUSAL: K. Gehly and L. Keough recused themselves from this matter and left the room during the deliberation and vote. A. MacDonald presented the Site Survey Waiver Request for the University of Massachusetts Lowell Baccalaureate RN Program to the Board. A. MacDonald recommended the Board accept the waiver request. D. Drew asked when the last site survey was conducted at the program and A. MacDonald stated that it was 1977.

D. K. Ashe presented the 244 CMR 6.06 Status Report of Board Recommendations to onsite survey and waiver applications for Tri- County Vocational Technical, Practical Nursing Program and Becker College, Associate Degree RN Program. K. Ashe stated that that the Tri-county Vocational Technical program had submitted an follow up report demonstrating compliance with Board directives following the 244 CMR 6.06(1)onsite survey conducted in January 2016. K. Ashe stated that that the Becker College Associate Degree RN program had also submitted a report that met the reequipments from the Board. K. Ashe recommended the Board accept both reports and find continued full approval status for Tri County Regional Vocational Technical Practical Nursing Program and Becker College Associate Degree RN Program.

E 1. K. Ashe presented the notification for Discontinuance of an Approved Nursing Education Program for Salem State University Direct Entry Masters.

E 2. K. Ashe briefed the notification for Discontinuance of an Approved Nursing Education Program for Salter College Practical Nursing Program.

ACTION:

C. Motion by J. Killion, seconded by C. Simonian, and unanimously passed to:

1. Accept the staff compliance report regarding the University of Massachusetts Lowell Baccalaureate RN Program request for a waiver of the regularly scheduled site survey under 244 CMR 6.06(2); and

2. Grant a waiver of 244 CMR 6.06(1)(a) finding:

- a. written evidence of the program's full accreditation;
- b. the program's report evaluating its compliance with the accreditation standards of the Commission on Collegiate Nursing Education (CCNE);
- c. the written findings and recommendations of the Board-recognized accrediting agency in nursing based on its review of the program. The Board may request a progress report from the program in response to the recommendation(s) of the accrediting agency.

D. Motion by J. Killion, seconded by B. Levin, and unanimously passed to:

1. Accept the staff 244 CMR 6.06 Status Report of Board Recommendations to onsite survey and waiver applications;

2. Accept the evidence of compliance with Board recommendations:

- a. 244 CMR 6.06 (1) Site Survey for Tri-County Regional Vocational Technical High School, Practical Nursing Program; and

- b. Waiver of 244 CMR 6.06(1)(a) Site Survey of Nursing Education Programs application for Becker College Associate Degree-RN Program.
- 3. Continue Full Approval of Tri-County Regional Vocational Technical High School, Practical Nursing Program and Becker College Associate Degree-RN Program.

E1. Motion by D. Drew, seconded by D. Zucker, and unanimously passed to: Find that Salem State University has provided satisfactory notification of its intent to discontinue the Direct Entry Baccalaureate Degree RN program.

E2. Motion by D. Drew, seconded by D. Zucker, and unanimously passed to: Find that Premier Education group has provided satisfactory notification of its intent to discontinue the Salter College Practical Nursing Program.

TOPIC: Strategic Development, Planning and Evaluation

C. Systematic Policy Evaluation

- 1. SARP Policy 12-01: Confidentiality for SARP Applicants and Participants

D. Presentation/Report

- 1. Board Approved Nursing Programs and Approval Status Changes

E. Topics for Next Agenda

DISCUSSION:

C. D. DeVaux briefed the changes to SARP Policy 12-01: Confidentiality for SARP Applicants and Participants.

D. K. Ashe and A. MacDonald briefed the Board Approved Nursing Programs and Approval Status Changes presentation to the Board. L. Silva spoke to the Board about the ways the Board had been reaching out to schools. D. Drew asked about the annual reports from the schools and the faculty. L. Keough asked when the next passing standard change to the NCLEX-RN would be and K. Ashe stated that there would be no changes through 2019-2020. L. Silva spoke to the Board about the NCSBN research and future changes to testing with the NCLEX.

ACTION:

C. Motion by B. Levin, seconded by D. Drew, and unanimously passed to accept the changes made to SARP Policy 12-01: Confidentiality for SARP Applicants and Participants.

D. So noted.

TOPIC:

G.L. c.30A, §21 Executive Session

DISCUSSION:

None

ACTION:

Motion by D. Drew, seconded by J. Killion, and unanimously passed by roll call vote to go into Executive Session at 10:19 a.m. as per Purpose One of G.L. c.30A, §21 (a)(1).

G.L. c. 30A, § 21 Executive Session 10:19 a.m. to 11:50 a.m.

TOPIC:

G.L. c. 112, s. 65C Session

DISCUSSION:

None

ACTION:

Motion by J. Killion, seconded by D. Drew, and unanimously passed to go into G.L. c. 112, s. 65C Session at 12:17 p.m.

G.L. c. 112, s. 65C Session 12:17 p.m. to 2:01 p.m.

TOPIC:

Adjudicatory Session

DISCUSSION:

None

ACTION:

Motion by B. Levin, seconded by C. Simonian, and unanimously passed to go into Adjudicatory Session at 2:02 p.m. to discuss decisions in pending adjudicatory matters.

Adjudicatory Session 2:02 p.m. to 2:28 p.m.

TOPIC:

Adjournment

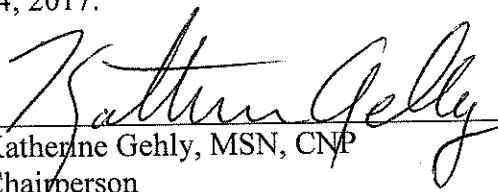
DISCUSSION:

None

ACTION:

Motion by D. Drew, seconded by B. Levin, and unanimously passed to adjourn the meeting at 2:29 p.m.

Minutes of the Board's May 10, 2017, Regularly Scheduled Meeting were approved by the Board on June 14, 2017.


Katherine Gehly, MSN, CNP
Chairperson
Board of Registration in Nursing

Agenda with exhibits list attached.

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Nursing

Notice of the Regularly Scheduled Meeting

Regular Session

239 Causeway Street
Room 417
Boston, Massachusetts 02114

Wednesday, May 10, 2017

PRELIMINARY AGENDA AS OF 4/25/17

Estimated Time	Item #	A. Item	Exhibit	Presented by
9:00 a.m.	I.	B. CALL TO ORDER & DETERMINATION OF QUORUM	None	
	II.	APPROVAL OF AGENDA	Agenda	
	III.	BOARD APPROVED ACTIONS ON STAFF ASSIGNMENTS AND COMPLAINTS A. Massachusetts General Law, Chapter 112 § 61 and Specified Case Law Grounds B. Staff Assignment Closures and Complaint Openings	Oral	HC/ASF
	IV.	APPROVAL OF BOARD MINUTES A. Draft Minutes for the April 12, 2017 Meeting of the Board of Registration in Nursing, Regular Session	Minutes	
	V.	REPORTS, ANNOUNCEMENTS AND ADMINISTRATIVE MATTERS A. Executive Director's Report B. Nominations FY 2018 Board Officers C. 2017-2018 Legislative Session, Nursing-related Bills D. Announcements	Oral/Memo Oral Memo	LS LS CS
	VI.	SARP A. SARP Activity Report B. SAREC Appointment C. Proposed Policy Revisions 1. SARP Policy 13-01: SARP Eligibility Criteria for Nurses Undergoing Suboxone Opioid Substitution Therapy	Memo Memo Memo	DMD DMD DMD

	VII. PROBATION A. Probation Staff Action Report B. Hearing on Notice of Violation and Further Discipline in the matter of Margaret Reed Adekunle, RN263048, NUR-2012-0002	Memo Memo	KF BAO
	VII. PRACTICE A. Practice Coordinator Staff Report B. Proposed Revisions to: 1. AR 0901 Management of Pain 2. AR 1301 Cosmetic and Dermatologic Procedures	Memo Memo Memo	LT LT LT
	IX. EDUCATION A. Nursing Education Staff Report B. 244 CMR 6.04(1)(c) & (1)(f) Administrative Changes C. 244CMR 6.06(2) Site Survey Waiver Request; University of Massachusetts Lowell Baccalaureate RN Program D. 244 CMR 6.06 Status Report of Board Recommendations to onsite survey and waiver applications; 1. Tri- County Vocational Technical, Practical Nursing Program 2. Becker College, Associate Degree RN Program E. 244 CMR 6.11: Discontinuance of an Approved Nursing Education Programs 1. Salem State University Direct Entry Masters 2. Salter College Practical Nursing Program	Report None Compliance Report Report Report	KA - AM KA KA
	X. REQUESTS FOR LICENSE REINSTATEMENT A. None		
	XI. STRATEGIC DEVELOPMENT, PLANNING AND EVALUATION C. Systematic Policy Evaluation 1. SARP Policy 12-01: Confidentiality for SARP Applicants and Participants D. Presentation/Report 1. Board Approved Nursing Programs and Approval Status Changes E. Topics for Next Agenda	Memo Presentation	DMD KA/AM
<>	LUNCH		

	XII.	EXECUTIVE SESSION The Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. <ol style="list-style-type: none"> Specifically, the Board will discuss and evaluate the Good Moral Character as required for registration for pending applicants. Specifically, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensees relevant to their petitions for license status change. Approval of prior executive session minutes in accordance with M.G.L. c. 30A, § 22(f) for sessions held during the April 12, 2017 meeting. 	CLOSED SESSION	
	XIII.	M.G.L. c. 112, § 65C SESSION	CLOSED SESSION	
	XIV.	M.G.L. c. 30A, § 18 ADJUDICATORY SESSION	CLOSED SESSION	
3:00 p.m.	XV.	ADJOURNMENT		